

Matthew Tonnard

Called: 2015
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Profile

Matthew joined Five Paper as a tenant in October 2019 following successful completion of pupillage. During pupillage, Matthew was supervised by Simon Mills and Roger Laville (Commercial Team) and Ben Maltz, Sam Phillips and Jane Hodgson (Property Team).

Prior to joining Chambers Matthew worked as a Legal Advisor at the Competition and Markets Authority where he assisted in the Supreme Court case ***R (on the Application of Gallaher Group Ltd and others) v The CMA [2019] A.C. 96*** and the organisations' first consumer rights case involving infringements within the secondary ticket market.

For the legal year 2016/17 Matthew was the Judicial Assistant to the Rt. Hon Lord Justice Lindblom. In this role he gained extensive experience of appellant level cases.

Prior to joining the Bar Matthew worked for a solicitor's firm specialising in construction and commercial disputes. Through this role he gained experience of high-value adjudications and High Court applications, as well as advising on the construction and breach of contracts.

Matthew is a Visiting Teaching Associate at Queen Mary University of London where he teaches Contract Law.

Description of Practice

Commercial Dispute Resolution

Matthew has a thriving commercial practice and regularly advises on the construction and breach of contracts. In particular, Matthew is regularly instructed in disputes concerning the supply of goods and services and misrepresentation.

Drawing on his experience at the Competition and Markets Authority, Matthew is comfortable advising in matters of competition and consumer law as well as Competition Disqualification Orders

Recent Work Includes

- Resisting an application for urgent interim relief regarding access to assets held on trust pursuant to a business purchase agreement (*Bartholomew Hawkins Asset*)

Management Limited v Bartholomew Hawkins Limited [2020] QBD before Mrs Justice Eady);

- Appearing in a consumer credit dispute relating to a company's liability for sharing personal information without consent;
- Advising individual directors in matters of Competition Disqualification Orders, representations to the Competition and Markets Authority and Competition Disqualification Undertakings;
- Advising on breaches of consumer protection legislation within the online travel agent market, including pressure selling tactics and hidden charges;
- Advising in respect of an alleged misrepresentation inducing a party to a commercial lease;
- Advising on the scope of an action in misrepresentation relating to the provision of MRI machines;
- Advising on the rectification of contractual documents;
- Making and resisting applications to set aside default judgment; and
- Advising on whether a contract unreasonably limited liability for breach of implied terms as to the quality of goods supplied for the purposes of the Unfair Contract Terms Act 1977.

Corporate and Personal Insolvency

Matthew has a growing practice in insolvency law and regularly accepts instructions to appear in both the County Court and Chancery Division of the High Court (ICC) in a wide range of matters.

Recent work includes

- Resisting consolidated applications to set aside statutory demands by signatories to a guarantee;
- Making and resisting bankruptcy petitions; and
- Successfully resisting an application for costs following the withdrawal of a statutory demand that had been incorrectly issued.

Trusts of Land

Matthew accepts instructions in a variety of trust disputes including:

- Breach of fiduciary duties;
- Proprietary estoppel;
- Declarations as to beneficial interest; and
- Equitable assignment of leases.

Recent work includes

- Acting as junior counsel, to Simon Mills, in a 4-day trial in the High Court (Chancery Division) concerning a trust property in Hatton Garden and the alleged breach of trustee's duties;
- Resisting a claim relating to the alleged assignment of a commercial lease in central

London;

- Resisting an application for declaratory relief pursuant to the Trust of Land and Appointment of Trustees Act 1996 (“TOLATA”); and
- Appearing for a freeholder in resisting an application for declaratory relief by reference to the transitional provisions of the Land Registration Act 2002.

Property Litigation

Matthew has extensive experience in property disputes and is regularly instructed by landlords to appear in the County Court, First-Tier Tribunal and High Court.

Matthew’s experience of property work includes.

- Possession claims;
- Boundary Disputes;
- Easements;
- Dilapidations and Disrepair;
- Forfeiture of long leasehold interests;
- Charging Orders and Orders for Sale;
- Invasive non-native species and the implications for property owners; and
- Service Charges

Recent Work Includes

- Drafting grounds of summary resistance in a Judicial Review relating to the suitability of alternative accommodation provided by a Local Authority;
- Advising on the extent of an existing right of way and encroachment in a rural area of South West England;
- Advising in a claim for compensation arising from the Highway Agency’s failure to register a Local Land Charge;
- Successfully secured Final Charging Orders with non-standard form restrictions before Master Davison of the High Court (QB Division);
- Advising on the purported waiver of an executed break clause and the implied grant of a new lease;
- Successfully established that a reserve fund was recoverable from a long leaseholder owing to estoppel by convention;
- Successfully resisted an application in the FTT relating to the reasonableness of service charges; and
- Successfully resisted an application relating to the alleged non-compliance with Section 20 of the Landlord and Tenant Act 1985.

Professional Membership

- Property Bar Association;
- Commercial Bar Association;

- R3 Association of Business Recovery Professionals.

Education

University of Bristol 2012 – 2013
Master of Laws – Public Law (LLM)
Degree Classification: Distinction
– Graduated first in the year

University of Chester 2009 – 2012
Bachelor of Laws (LLB)
Degree Classification: First Class
– Graduated first in the year

Scholarships/Prizes

- Lord Slynn Senior Moot Competition – Runner Up (2017)
- St John's Chambers Mooting Competition – Winner (2014)
- Herbert Smith Freehills Mooting competition – Winner (2013)
- Sweet & Maxwell Law Prize (2012)